

NSIP Eligible Meals & Title III-E Meals

Tuesday Mailing: September 9, 2003

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The document *Administration on Aging Nutrition Services Incentive Program Frequently Asked Questions* (with recent revisions) is for your information. The Nutrition Services Incentive Program (NSIP) is intended to provide incentives to states for the effective delivery of nutritious meals to older adults. It's not a new program and has been authorized under the Older Americans Act (OAA) since 1978. The program was previously administered by United States Department of Agriculture (USDA), which provided cash and/or commodities to supplement meals provided under OAA's authority. In 2003, the program was transferred from USDA to the Administration on Aging (AoA) within the Department of Health and Human Services. The transfer did not result in any significant changes at the state or local level.

Please note question #21 regarding NSIP eligible meals provided to adults under age 60. The document was not designed to address all eligibility questions. As a result, spouses under age 60 are not discussed. As you know, spouses of any age are eligible to a meal as specified in the applicable VDA Service Standards.

Regarding eligibility of Title III-E National Family Caregiver Support Program meals, please see question #23. NSIP requirements for eligible meals have not changed - meals are for older individuals, OAA requirements must be met, programs cannot be "means tested," and the individual must be offered the opportunity to contribute to the meal. Home-delivered meals, as a supplemental service, served with Title III Part E funds may be counted as a NSIP eligible meal if the meal and the recipient meet the OAA Title III-C requirements as defined in the VDA Service Standards. The same applies to congregate meals that are provided under Title III-E National Family Caregiver Support Program.

If the caregiver is an adult who is under age 60 and is not the spouse of the care recipient, the meal served to the caregiver may be funded by Title III Part E, but is not eligible to be reported as an NSIP eligible home delivered or congregate meal. This interpretation differs than what was provided to some AAAs previously by VDA.

Please contact me at (804) 662-9319 or cdriskill@vdh.state.va.us with any questions, comments, or concerns.



ADMINISTRATION ON AGING NUTRITION SERVICES INCENTIVE PROGRAM FREQUENTLY ASKED QUESTIONS

1. What is AoA's new Nutrition Services Incentive Program?

The Nutrition Services Incentive Program (NSIP) is not a new program; it was authorized by Section 311 of the Older Americans Act (OAA) of 2000, as amended, and has been authorized in one form or another under the OAA since 1978. Until this year, the program was administered by the United States Department of Agriculture (USDA), which provided cash and/or commodities to supplement meals provided under the authority of the OAA. The Consolidated Appropriations Resolution, 2003, Public Law 108-7, amended the OAA to transfer the NSIP from the USDA to the Administration on Aging (AoA) within the Department of Health and Human Services (HHS).

2. Will there be any significant changes in the program as a result of its transfer to the AoA?

No. AoA will administer the program in compliance with the requirements of Section 311 of the OAA, which have remained unchanged.

3. What is the purpose of the NSIP?

The NSIP is intended to provide incentives to States and Tribes for the effective delivery of nutritious meals to older adults. The NSIP supplements funding for food used in meals served under the OAA.

4. What agencies may participate in NSIP?

State Units on Aging (SUAs) funded through Title III of the OAA and Indian Tribal Organizations (ITOs) who have an approved application through Title VI of the OAA may receive grants of cash from the AoA and/or commodities from the USDA.

5. What are the procedures for SUAs and ITOs to participate in NSIP?

Participation procedures are largely unchanged. In order to participate in NSIP, SUAs and ITOs are required to sign participation agreements, submit meal and financial reports promptly, and comply with the requirements of the OAA.

6. What community organizations are eligible to participate in NSIP?

Participation by community organizations is unchanged. If community organizations enter into a contract or grant agreement with their SUA or AAA to provide meals in compliance with Title III of the OAA, the community organization may receive NSIP funding from that entity. Under the OAA, some community organizations are not eligible to participate in NSIP. For example, privately funded meals on wheels programs that are not associated with a SUA or AAA, or assisted living facilities that do not provide meals to the general public and are not associated with a SUA or AAA, are not eligible to participate in NSIP.

7. How is funding determined?

Funding determination methods are unchanged from the 2000 OAA amendments. The NSIP cash or cash and commodity allocation to SUAs and ITOs is a proportional share of a Federal fiscal year appropriation. The allocation is based on the number of meals served by a single SUA or ITO in the previous year in proportion to the total number of meals served by all SUAs and ITOs that year. Meals counted for purposes of NSIP reporting are those that satisfy the requirements of Title III-C of the OAA. Throughout these questions these are referred to as OAA meals.

8. How is cash being distributed during the 2003 transitional year?

Under the continuing resolutions (CRs) of Federal Fiscal Year (FFY) 2003 that provided spending authority for the beginning of the FFY, the USDA provided SUAs and ITOs with two distributions of funds totaling about 39 percent of the available grant funds.

In April 2003, the AoA provided a third interim distribution that increased the distribution to approximately 75 percent of the available grant funds to SUAs and ITOs for FFY 2003.

Another allotment will be provided during the fourth quarter after the meal count data and AoA internal management procedures are finalized.

The AoA may provide a final allotment in August after adjustments, including adjustments for commodity usage.

9. How will cash be distributed for NSIP during FFY 2004 and later?

Once an appropriation is enacted, the AoA will distribute approximately 75% of NSIP appropriated funds in the first quarter using the allocation formula for the previous FFY. Another allotment will be made available in the third quarter, and will adjust the distribution to be based on the number of OAA meals that were reported as served in the prior FFY. The remainder of the allotment will be provided at the end of fourth quarter after adjustments.

10. What will happen to funding if there is a continuing resolution (CR)?

The AoA will distribute funds to SUAs and ITOs based on the CR limitations and the funds available at the time, as it does with its current funding under Titles III and VI.

11. Will SUAs and ITOs get the same amount of funding during the next fiscal year?

Funding to SUAs and ITOs is based on the total Federal appropriation for NSIP and the number of meals reported by SUAs and ITOs for the previous year. If total available funding and the number of meals served do not change significantly, funding will be approximately the same from year to year.

12. Are commodities still a part of the NSIP?

Yes, commodities are still an option under NSIP, and the USDA remains responsible for the distribution of commodities. Procedures for election and selection of commodities are in place and unchanged. For a list of foods offered by USDA for NSIP, please refer to the Food Distribution website at:

<http://www.fns.usda.gov/fdd/>

13. How must NSIP cash be distributed and used?

Requirements for the distribution and use of NSIP cash are unchanged.

Consistent with existing program requirements, SUAs and ITOs must establish policies and procedures for the appropriate disbursement and use of cash received from AoA. The OAA requires SUAs and ITOs to promptly and equitably disburse cash they receive to recipients of grants or contracts for nutrition projects under Title III and Title VI.

Consistent with existing requirements for this program, recipients of grants or contracts from the SUA or AAA may use NSIP cash to purchase United States (U.S.) agricultural commodities and other foods of U.S. origin for their nutrition projects. NSIP funds must be used to expand meal services to older adults.

14. Is match required for NSIP?

No, a SUA or ITO is not required to match these funds.

15. What are the remaining reporting requirements of NSIP during the 2003 transition year?

For 2003 only, the USDA is requiring the submission from SUAs and ITOs of an SF269a to account for the two distributions of funds that occurred during the CRs.

For 2003 only, the AoA is requiring the submission from SUAs and ITOs of an SF269a to account for the funds distributed only by the AoA. These funds will be reported as “obligated” when distributed to subgrantees and “liquidated” when the subgrantees report their expenditure.

16. SUAs ONLY: What are the requirements and deadlines for SUA reporting of meals to obtain NSIP funding for FFY 2004 and beyond?

Each year, the SUAs are to report the number of OAA meals served during the previous fiscal year by way of the State’s SPR (State Program Report) by January 31. Revisions to this submission will be accepted through March 1. For example, the deadline for reporting OAA meals served in FY 2003 is January 31, 2004, and revisions will be accepted through March 1, 2004.

17. ITOs ONLY: What are the requirements and deadlines for ITO reporting of meals to obtain NSIP funding for FFY 2004 and beyond?

For FY 2004, ITOs will be required to report the number of OAA meals served in 2002 by April 30, 2003.

18. What are the requirements and deadlines for the future submission of SF269s for SUAs and an ITOs?

AoA will require SUAs and ITOs to submit annual SF 269s on the same schedule as Title III and VI SF 269 reports. These funds will be reported as “obligated” when distributed to subgrantees and “liquidated” when the subgrantees report their expenditure. SUAs or ITOs must complete a final SF269 no later than when the final report for other Title III or Title VI funds awarded in that fiscal year are due (8/03 Revision)

19. Over what period of time may SUAs and ITOs expend NSIP funds?

The same rules apply to NSIP funds as apply to other funds allocated under Titles III and VI of the OAA, and they are unchanged. SUAs have one year to obligate funds and two years to expend the funds. ITOs have one year to obligate and expend. (8/03 Revision)

SUAs and ITOs must obligate all funds in the fiscal year in which they are awarded. (8/03 Revision)

20. What are the criteria for counting meals for NSIP funding purposes?

SUAs and ITOs should report the number of meals that meet the criteria of the OAA for meals programs (Title III-C). Meals served in accordance with the requirements of the OAA and its regulations would include those served:

- to an individual who is qualified to receive services under the OAA as defined in Title III or Title VI;
- to an individual who is **not means-tested** for participation;
- in compliance with the nutrition requirements of the OAA;
- by an eligible agency (has a grant or contract with a SUA or AAA) or a Title VI provider; and
- to an individual who is given an opportunity to contribute to the cost of service.

21. For NSIP funding purposes, can SUAs and ITOs include OAA meals provided to adults under age 60?

Yes. As indicated in Section 339, an AAA is to establish procedures that allow a nutrition project administrator the option to allow the participation of adults under age 60 who are:

- disabled adults, who reside at home with and accompany older adults, and
- volunteers, regardless of age, who assist in meal service during meal hours.

Such meals are to be included in the meal count for NSIP funding.

22. For NSIP funding purposes, should an SUA or ITO report meals served in means-tested programs they administer, such as Title XIX Medicaid Waiver Programs?

No, meals served in Title XIX Medicaid Waiver Programs or means-tested state funded home and community based programs cannot be included in counts used to determine NSIP funding.

23. Are home-delivered meals served under the Title III-Part E, the National Family Caregiver Support Program eligible to be counted for NSIP allocation on the SPR?

Home-delivered meals, as a supplemental service, served with Title III Part E funds may be counted as a NSIP eligible meal if the meal:

- meets the requirements of the OAA (Title III-C),
- is served by an agency that has a grant or contract with the SUA or AAA; and
- is served to an adult qualified for service under Title III of the OAA:
 - care recipients, who are age 60 or older;
 - caregivers, who are age 60 or older; or
 - caregivers, who are the spouse of the care recipient, regardless of age.

If the caregiver is an adult who is under age 60 and is not the spouse of the care recipient, the meal served to the caregiver may be funded by Part E, but is not eligible to be reported as an NSIP eligible meal.

24. Where can I find more complete information on the OAA Programs?

More complete data for Title III of the OAA may be found on the AoA website at <http://www.aoa.gov/prof/agingnet/NAPIS/SPR/spr.asp>

25. Who should I contact for more information about NSIP?

A SUA or ITO should contact their AoA regional office if they have questions about NSIP. A listing of the AoA regional offices may be found at http://www.aoa.gov/about/org/regional_support_center/org_regional_support_centers.asp

A community-based organization should contact their SUA if they have questions. A listing of the SUAs may be found at <http://www.aoa.gov/prof/agingnet/SUAs/suas.asp>

For information from the USDA regarding the commodity part of NSIP, a SUA, ITO or community-based organization should refer to the USDA regional offices found at <http://www.fns.usda.gov/fdd/contacts/fnsro-contacts.htm>.